



ITIB CIO Evaluation Policy and Procedure

I. Purpose

To establish the policy and procedures for evaluating the performance of the Chief Information Officer of the Commonwealth (CIO).

II. Policy

It is the policy of the Information Technology Investment Board (ITIB) to annually evaluate the performance of the CIO in accomplishing the performance objectives. The ITIB will utilize the results of such evaluation to determine whether a performance increase is warranted or corrective action should be employed. It is the policy of the ITIB to establish a CIO Evaluation Committee ("Committee") to perform the actual assessment and provide a recommendation to the ITIB.

III. Authorities

A. Appropriations Act - General Provisions:

§4-6.01 EMPLOYEE COMPENSATION

- a. The compensation of all kinds and from all sources of each appointee of the Governor and of each officer and employee in the Executive Department who enters the service of the Commonwealth or who is promoted to a vacant position shall be fixed at such rate as shall be approved by the Governor in writing or as is in accordance with rules and regulations established by the Governor. No increase shall be made in such compensation except with the Governor's written approval first obtained or in accordance with the rules and regulations established by the Governor.
- c.1.a) Annual salaries of persons appointed to positions listed in subdivision c 6 hereof shall be paid in the amounts shown for the current biennium, unless changed in accordance with conditions stated in subdivisions c 2 through c 5 hereof.
- 2.a) The Governor may increase or decrease the annual salary for incumbents of positions listed in subdivision c 6 below at a rate of up to 10 percent in any single fiscal year between the minimum and the maximum of the respective salary range in accordance with an assessment of performance and service to the Commonwealth.
- b)1) The appointing or governing authority may grant performance bonuses of 0-5 percent for positions whose salaries are listed in §§ 1-1 through 1-9, and 4-6.01 b, c, and d of this act, based on an annual assessment of performance, in accordance with policies and procedures established by such appointing or governing authority.

Such performance bonuses shall be over and above the salaries listed in this act, and shall not become part of the base rate of pay.

- 2) The appointing or governing authority shall report performance bonuses which are granted to executive branch employees to the Department of Human Resource Management for retention in its records
3. From the effective date of the Executive Pay Plan set forth in Chapter 601, Acts of Assembly of 1981, all incumbents holding positions listed in this § 4-6.01 shall be eligible for all fringe benefits provided to full-time classified state employees and, notwithstanding any provision to the contrary, the annual salary paid pursuant to this § 4-6.01 shall be included as creditable compensation for the calculation of such benefits
- 6.a) The following salaries shall be paid for the current biennium in the amounts shown, however, all salary changes shall be subject to subdivisions c 2 through c 5 above.
- b) Existing salary contracts between the Chief Information Officer and the Information Technology Investment Board in effect before the enactment of this act shall remain in effect as originally written until the termination of said contracts. Salary contracts entered into after enactment of this act shall adhere to the conditions specified in § 4-6.01.

B. Code of Virginia:

§ 2.2-2005. Creation of Agency; appointment of Chief Information Officer.

§ 2.2-2457. Information Technology Investment Board; membership; terms; quorum; compensation; staff.

C. Employment Agreement signed January 20, 2004

IV. Procedure

- A. The ITIB names ITIB members to the Committee designating one member as Committee chairperson.
- B. The Committee shall meet from time to time to establish the CIO Performance Objectives.
- C. At least annually, the Committee will perform a performance evaluation of the CIO with the anniversary date being January 20 of each year. The Committee will make recommendations concerning any salary increase, bonus, or corrective actions as well as continued employment as soon as practical after the evaluation.
- D. If performance is found to be positive, the ITIB shall act on any recommended salary increase and/or bonus as appropriate by prevailing law and policies. A performance bonus of 0.1-5% may be approved when due to extraordinary performance and must be reported to the Department of Human Resource Management timely.

- E. Per the employment contract: "If performance is found to be deficient, the ITIB, through it's Chairman, will put such performance deficiencies in writing and will determine an appropriate timeframe in which corrective action must be completed. Should the corrective action not be completed as required, or in a manner determined inappropriate in the sole discretion of the ITIB, termination of employment may occur and it shall be termination for cause."
- F. Staff to the Committee shall be the Internal Audit Director for the Virginia Information Technologies Agency (VITA) or such other VITA personnel who work independently at the direction and under the control of the ITIB.
- G. Counsel from the Office of the Attorney shall be invited to attend all meetings of the Committee.
- H. The ITIB recognizes that, pursuant to the State and Local Government Conflicts of Interest Act (Title 2.2, § 2.2-3100 et seq. of the Code of Virginia) (the "Act"), the CIO is permitted to have a personal interest in his employment contract with the ITIB. However, to comply with the prohibitions of the Act, the CIO shall not participate on behalf of the ITIB, Committee or VITA, nor cause VITA staff to participate, in any matter in which he is the subject of the transaction or may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the action of VITA, the Committee or the ITIB considering the transaction.